

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICK LEO SHEKO,

Petitioner,

Case No. 2:11-cv-11969

v.

HON. GEORGE CARAM STEEH

PAUL KLEE,

Respondent.

_____/

ORDER DISMISSING PETITIONER'S HABEAS PETITION

Petitioner Patrick Sheko is currently serving a prison term of 25-50 years in Gus Harrison Correctional Facility in Adrian, Michigan, after pleading no contest to four counts of first-degree criminal sexual conduct ("CSC") in 1991. The Michigan Court of Appeals affirmed his convictions and the Michigan Supreme Court denied his application for leave to appeal. Petitioner then filed an application for writ of habeas corpus in the United States District Court for the Eastern District of Michigan on April 21, 1997. Judge Barbara Hackett dismissed the petition without prejudice on April 29, 1998, based on petitioner's failure to exhaust his state court remedies. Petitioner filed a second application for writ of habeas corpus on May 4, 2011, challenging the same CSC convictions, and this court dismissed the petition as time barred on August 14, 2012.

On July 11, 2013, Magistrate Judge Komives received a letter from Sheko which he referred to this court. The court has construed the letter as a habeas petition pursuant to 28 U.S.C. § 2254. In that letter, Sheko reiterates arguments of actual

innocence which this court considered in Sheko's previous habeas petition. For the reasons previously discussed in this court's order dismissing Sheko's May 4, 2011 habeas petition,

IT IS ORDERED that Sheko's habeas application (letter dated July 11, 2013) hereby is DISMISSED on statute of limitations grounds.

Dated: August 1, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 1, 2013, by electronic and/or ordinary mail and also on Patrick Sheko #220470, Gus Harrison Correctional Facility, 2727 E. Beecher Street, Adrian, MI 49221.

s/Barbara Radke
Deputy Clerk